IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 558 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHARATIBEN BHAMBHAI THUMAR

Versus

DEIRECTOR OF PRIMARY EDUCATION

Appearance:

1. Special Civil Application No. 558 of 1999

MR ANSHIN H DESAI for Petitioner No. 1

Mr. N.D. Gohil AGP for Respondent No. 1

MR Manoj N Popat for RA MISHRA for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE H.K.RATHOD

Date of decision: 05/11/2003

ORAL JUDGEMENT

Heard learned advocate Mr. Anshin H. Desai for

the petitioner; Mr. N.D. Gohil, learned AGP for the first respondent and Mr. M.N. Popat for Mr. Mishra for respondent NO.2. Initially, an order of transfer was passed in favour of the petitioner which was subsequently cancelled by the respondent authority and therefore, the petitioner has filed this petition challenging the subsequent order whereby order of transfer which was passed in his favour has been cancelled. The matter is, thus, relating to transfer of an employee which was made in the year 1999. While admitting this petition, interim relief was refused by this court. Considering this aspect and also considering the fact that this matter is relating to the order of transfer made in the year 1999, by passage of time, it has become infructuous and the same is required to be disposed of as having become infructuous. Similar other group of two petitions being special civil applications no. 551 of 1999 and 552 of 1999 have also been disposed of by this court by order dated 6th September, 1999. This being the cognate matter, relating to transfer made in the year 1999, is also required to be disposed of as having become infructuous.

Accordingly, this petition is also disposed of.
Rule is discharged. There shall be no order as to costs.

Dt.5.11.2003. (H.K. Rathod,J.)

Vyas